



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
 WASHINGTON, D.C. 20460

April 14, 2017

THE ADMINISTRATOR

Mr. Nicholas Jacob Bronni  
 Ms. Jamie Leigh Ewing  
 Counsel for the State of Arkansas  
 Arkansas Attorney General's Office  
 200 Catlett-Prien Building  
 323 Center Street  
 Little Rock, Arkansas 72201

RE: Convening a Proceeding for Reconsideration of Final Rule, "Promulgation of Air Quality Implementation Plans; State of Arkansas; Regional Haze and Interstate Visibility Transport Federal Implementation Plan," published September 7, 2016, 81 Fed. Reg. 66332

Dear Mr. Bronni and Ms. Ewing:

The U.S. Environmental Protection Agency ("we" or "the EPA") has considered the petitions for reconsideration of the above-captioned rule, which is commonly known as the "Arkansas Regional Haze FIP." The petitions were submitted on behalf of the Arkansas Department of Environmental Quality (ADEQ), Entergy (Entergy Arkansas Inc., Entergy Mississippi Inc. and Entergy Power LLC), Arkansas Electric Cooperative Corporation (AECC) and Energy Environmental Alliance of Arkansas (EEAA) pursuant to section 307(d)(7)(B) of the Clean Air Act (CAA) and section 705 of the Administrative Procedure Act.

We find that the petitions have raised one or more objections to the Arkansas Regional Haze FIP that arose after the comment period or were impracticable to raise during the comment period and that are of central relevance to the rule under 307(d)(7)(B) of the CAA. Thus, by this letter, we are convening a proceeding for reconsideration of the compliance dates for the NO<sub>x</sub> emission limits for Flint Creek Unit 1, White Bluff Units 1 and 2 and Independence Units 1 and 2, and of the low-load NO<sub>x</sub> limits applicable to White Bluff Units 1 and 2 and Independence Units 1 and 2 during periods of operation at less than 50 percent of the unit's maximum heat input rating. Further, based on statements by Entergy regarding the limited future operations of White Bluff, the EPA also grants reconsideration of the SO<sub>2</sub> emission limits for Units 1 and 2 at the facility. The EPA did not specifically request comment on the 18-month compliance dates for NO<sub>x</sub> controls or the specific low-load NO<sub>x</sub> limit in the FIP, and reconsideration will allow for additional public comment on these issues. In addition, new information clarified the intent of Entergy's comments regarding future operations at White Bluff and indicated that reconsideration of the SO<sub>2</sub> BART emission limits based on a shorter remaining useful life is warranted. Finally, as we are reconsidering the compliance dates for the NO<sub>x</sub> emission limits at Independence, we also are

reconsidering the compliance dates for the SO<sub>2</sub> emission limits for Independence Units 1 and 2 to ensure that the schedule for compliance for these emission limits is coordinated.

We will prepare a notice of proposed rulemaking that will provide ADEQ, Entergy, AECC, EEAA and the public an opportunity to comment on the issues identified above as well as any other matter we believe will benefit from additional comment. We appreciate your input and your interest in this matter. The EPA is not at this time taking action on the remaining issues in the petitions for reconsideration of the Arkansas FIP. We also note that a decision to reconsider elements of a rule begins a process that will provide an opportunity for comment on the issues under reconsideration. At a later time, we will publish a Federal Register notice seeking comment on the issues under reconsideration. The decision to reconsider a rule is not a determination of the merits of issues raised in a petition for reconsideration.

If you have any questions on this action, please contact Barbara Nann in the Office of Regional Counsel, Region 6, at (214) 665-2157 or by email at [nann.barbara@epa.gov](mailto:nann.barbara@epa.gov). Please direct any communications regarding the litigation or any issues under discussion related to the litigation to Samara Spence, U.S. Department of Justice counsel, at (202) 514-2285.

Respectfully yours,



E. Scott Pruitt



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THE ADMINISTRATOR

Mr. William M. Bumpers  
Ms. Debra J. Jezouit  
Ms. Allison Watkins Mallick  
Counsel for Entergy  
Baker Botts LLP  
1299 Pennsylvania Avenue, NW  
Washington, D.C. 20004

RE: Convening a Proceeding for Reconsideration of Final Rule, "Promulgation of Air Quality Implementation Plans; State of Arkansas; Regional Haze and Interstate Visibility Transport Federal Implementation Plan," published September 7, 2016, 81 Fed. Reg. 66332

Dear Mr. Bumpers, Ms. Jezouit and Ms. Mallick:

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April 14, 2017

THE ADMINISTRATOR

Ms. Jennifer L. Loiacano  
Counsel for Arkansas Electric Cooperative Corporation  
P.O. Box 194208  
Little Rock, Arkansas 72219-4208

RE: Convening a Proceeding for Reconsideration of Final Rule, "Promulgation of Air Quality Implementation Plans; State of Arkansas; Regional Haze and Interstate Visibility Transport Federal Implementation Plan," published September 7, 2016, 81 Fed. Reg. 66332

Dear Ms. Loiacano:

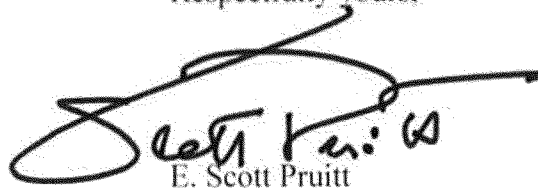
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THE ADMINISTRATOR

Mr. Chad L. Wood  
 Counsel for Energy Environmental Alliance of Arkansas  
 PPGMR Law PLLC  
 101 Morgan Keegan Drive, Suite A  
 Little Rock, Arkansas 72202

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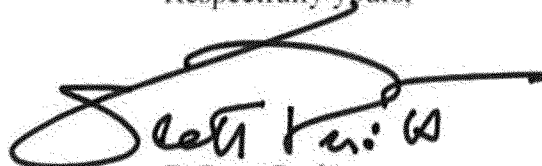
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